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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: SIEBERT ET AL. - 2

EXAMINER: STEVEN H. RAO

SERIAL NO: 09/716,708

GROUP: 2814

FILED: NOVEMBER 20, 2000

TITLE: EPITAXIALLY COATED SEMICONDUCTOR WAFER
AND PROCESS FOR PRODUCING IT

RESPONSE TO RESTRICTION REQUIREMENT

ATT: BOX NON FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

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APR 22 2002
TECHNOLOGY CENTER 2800

Dear Sir:

In response to the Office Action dated March 19, 2002,
Applicant respectfully responds as follows:

The Patent Examiner has required a restriction to one
of the following two inventions:

Group I: Claims 1 is, drawn to a semiconductor
wafer, classified in class 257, subclass
53.

Group II: Claims 2-11 are, drawn to method of
making a semiconductor wafer, classified
in class 438, subclass 48.

SELECTION:

The Applicant respectfully selects Group I, as set forth in Claim 1, which is drawn to a semiconductor wafer, with traverse for further prosecution.

It is believed that the present invention is directed to a unitary inventive concept, namely Epitaxially Coated Semiconductor Wafer And Process For Producing It. Thus, it is believed that any search for the invention embodied in Group I claim 1, would necessarily include a search for the invention embodied in Group II claims 2-11. Thus, a simultaneous search for all of the Groups is believed not to constitute an unreasonable search for the Patent Examiner. In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for all of the Groups. Also, the necessity of filing multiple patent applications for the same invention does not serve to promote the public interest. This is because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public due to the necessity of searching through a multiplicity of patent files in order to find the complete

range of subject matter claimed in several different patents that could otherwise be found in one issued patent only.

Applicant expressly reserves the right to file a divisional patent application for the non-elected invention.

For all these reasons, it is respectfully requested that the requirement for restriction under 35 U.S.C. 121 be withdrawn. An action on merits of all the claims is respectfully requested.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS, Washington, D.C. 20231, on April 11, 2002.


Lisa L. Vulpis